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AMERICAN BUS ASSOCIATION

Representing the motorcoach, tour and travel industry

DEPT. OF TRANSPORTATION
DOCKETS

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Docket Management

U.S. Department of Transportation

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NHTSA-02-13546-55

Ref: Docket No. NHTSA-02-13546, Notice 2

The American Bus Association ("ABA") represents over 3,400 members; of those, approximately 850 member companies are bus operators, offering a variety of bus services:

- regular route intercity service between fixed points on set schedules;
- charter service, where a group of passengers (such as a company or organization) purchases all of the seats on a bus for exclusive use on a particular trip;
- tour service, which usually includes stops for sightseeing and recreational purposes;
- commuter bus services, generally from the suburbs into urban areas; and
- special operations, which are scheduled services to enhance public transportation systems (such as bus service from a city to an airport), or which may be connected with a special event or attraction at the destination.

The rest of ABA's members include representatives of the travel and tourism industry, and the manufacturers and suppliers of products and services used by the bus industry. The intercity bus industry carries over 774 million passengers a year with a safety record that is unparalleled on the highways.

As the national trade association of the intercity bus industry, ABA is submitting the following comments to Docket No. NHTSA-02-13546, in which NHTSA requests comments concerning their future role they should take related to the continued development of Event Data Recorders (EDRs) in motor vehicles.

The American Bus Association believes that the development and installation of Event Data Recorders (EDR) should be market driven. As a result, we believe that further efforts by NHTSA in this area are unnecessary. A considerable amount of data is available via electronic components currently available on trucks and buses. An example of this technology is the Detroit Diesel Electronic Controls IV Electronic Control Module (commonly referred to as the DDEC IV) that is currently installed on Detroit Diesel Engines. This module, which provides operational data for a vehicle and engine including trip activity, speed versus rpm, engine load vs. rpm, periodic maintenance, engine usage, and hard braking activity is not only a valuable tool for commercial motor vehicle operators, but has been used to successfully supplement traditional investigative techniques by the National Transportation Safety Board (NTSB) and others to determine crash causation. It is important to note that data from a DDEC IV helped NTSB determine the cause of the motorcoach run-off-the-road accident near Canon City, Colorado on December 21, 1999. (NTSB Accident No. HWY-00-FH011) Other engine manufactures have similar modules as well. In ABA's view, this technology is sufficient to accomplish both company and agency post-accident analysis.

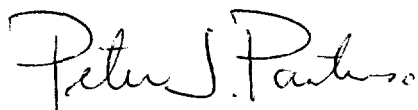
Further, adding additional and unnecessary EDR capabilities will certainly place more demands on vehicle electrical systems, making them more complex, less reliable, and more difficult to maintain and repair.

It is important to note that "NHTSA has already twice rejected petitions for rulemakings to mandate the use of EDRs on motor vehicles, finding that the issues raised are 'best addressed in a non-regulatory context.'" 67 Federal Register 63493, 63494 (October 11, 2002). Further, NHTSA has now received a third petition for rulemaking from a manufacturer of such devices, who is clearly looking to generate a market share through regulation. NHTSA should reject that petition out of hand.

In sum, the NTSB has never failed to determine a causation factor for an accident because current engine and vehicle technology effectively supplement traditional investigative methods. Additional detailed data may be interesting to engineers and accident investigators, but is it needed when the cause of the accident can already be determined by current methods and evaluation, possibly at the cost of system reliability? We believe that a more efficient use of resources would be to conduct crash testing of motorcoaches in order to evaluate their capabilities during a crash.

The ABA believes that market-based solutions work best in this area. This approach has already been proven successful by the use of modules such as Detroit Diesel's DDEC IV and others.

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter J. Pantuso".

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